

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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U.S. DISTRICT COURT
SAN JUAN, P.R.

METROPOLITAN LIFE INSURANCE COMPANY,

Plaintiff

v.

CASE NUMBER: 97-2331 (DRD)

NATIONAL COMMUNICATIONS SYSTEMS, INC.
d/b/a NATIONAL BENEFIT COMMUNICATION, INC., et als.

Defendant

ORDER

In a hearing held on this same date, Counsel for Plaintiff informed the Court that Defendant John D'Angelo has attempted to give a conditional waiver to his attorney-client privilege. The Court informs Defendant D'Angelo that conditional or selective waivers to the attorney-client privilege are not recognized in this Circuit. U.S. v. Massachusetts Institute of Technology, 129 F3d 681 (1st Cir. 1997). See also Permian Corp. v. U.S., 665 F.2d 1224 (D.C. Cir. 1981). Furthermore, Defendant D'Angelo is ordered to advise the Court, within 48 hours, if he is providing his waiver both in his personal capacity and his official capacity as President of CGD Enterprises, Inc. on all matters related to the motion for disqualification and the discovery related to.

IT IS SO ORDERED.

DATE: January 19, 2000



DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE

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D'Angelo (for)